

1950

## CONGRESSIONAL RECORD—SENATE

11253

"(c) The term 'servicing' means making available for use information in records and other materials in the custody of the Administrator—

"(1) by furnishing such records or other materials, or information from such records or other materials, or copies or reproductions thereof to agencies of the Government for official use and to the public; and

"(2) by making and furnishing authenticated or unauthenticated copies or reproductions of such records and other materials;

"(d) The term 'National Archives of the United States' means those official records that have been determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, and have been accepted by the Administrator for deposit in his custody;

"(e) The term 'unauthenticated copies' means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence; and

"(f) The term 'Archivist' means the Archivist of the United States."

Sec. 7. The Federal Property and Administrative Services Act of 1949 is further amended by—

(a) striking out the word "and" preceding "(2)" in subsection (d) of section 3 thereof; substituting a semicolon for the period at the end of said subsection; and adding at the end of such subsection the following: "and (3) records of the Federal Government.";

(b) striking out, in section 208 (a) thereof, the expression "and V", and inserting in lieu thereof the expression "V, and VI";

(c) striking out, in section 208 (b) thereof, the expression "and V", and inserting in lieu thereof the expression "V, and VI";

(d) striking out the word "and" at the end of paragraph (30) of section 602 (a); striking out the period at the end of paragraph (31) of section 602 (a) and inserting in lieu thereof a semicolon; and adding at the end of section 602 (a) the following new paragraphs:

"(32) the act entitled 'An act to establish a National Archives of the United States Government, and for other purposes,' approved June 19, 1934 (48 Stat. 1122-1124, as amended; 44 U. S. C. 300, 300a, 300c-k); and

"(33) section 4 of the act of February 3, 1905 (33 Stat. 687, as amended; 5 U. S. C. 77)."

"(e) amending subsection 602 (b) and (c) thereof to read as follows:

"(b) There are hereby superseded—

"(1) the provisions of the first, third, and fifth paragraphs of section 1 of Executive Order No. 6166 of June 10, 1933, insofar as they relate to any function now administered by the Bureau of Federal Supply except functions with respect to standard contract forms; and

"(2) sections 2 and 4 of the act entitled 'An act to provide for the disposal of certain records of the United States Government,' approved July 7, 1943 (57 Stat. 381, as amended; 44 U. S. C. 367 and 369), to the extent that the provisions thereof are inconsistent with the provisions of title V of this act."

"(c) The authority conferred by this act shall be in addition and paramount to any authority conferred by any other law and shall not be subject to the provisions of any law inconsistent herewith, except that sections 205 (b) and 206 (c) of this act shall not be applicable to any Government corporation or agency which is subject to the Government Corporation Control Act (59 Stat. 697; 31 U. S. C. 841)."

(f) amending paragraphs (17), (18), and (19) of section 602 (d) thereof to read as follows:

(17) the Central Intelligence Agency;

(18) the Joint Committee on Printing, under the act entitled 'An act providing for

the public printing and binding and the distribution of public documents,' approved January 12, 1895 (28 Stat. 601), as amended, or any other act; or

"(19) for such period of time as the President may specify, any other authority of any executive agency which the President determines within 1 year after the effective date of this act should, in the public interest, stand unimpaired by this act."

(g) striking out the period at the end of section 603 (a) thereof and inserting in lieu thereof a comma and the following: "including payment in advance, when authorized by the Administrator, for library memberships in societies whose publications are available to members only, or to members at a price lower than that charged to the general public."

Sec. 8. (a) Subsection 3 (b) of the Federal Property and Administrative Services Act of 1949 is amended to read as follows:

"(b) The term 'Federal agency' means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his direction)."

(b) Section 201 (b) of the Federal Property and Administrative Services Act of 1949 is amended by striking out the expression "or the Senate, or the House of Representatives,".

(c) Section 602 of the Federal Property and Administrative Services Act of 1949 is amended by redesignating subsection (e) thereof as subsection (f) and inserting, immediately after subsection (d) thereof, the following new subsection:

"(e) No provision of this act as originally enacted or as subsequently amended shall apply to the Senate or the House of Representatives (including the Architect of the Capitol and any building, activity, or function under his direction), but any of the services and facilities authorized by this act to be rendered or furnished shall, as far as practicable, be made available to the Senate, the House of Representatives, or the Architect of the Capitol, upon their request. If payment would be required for the rendition or furnishing of a similar service or facility to an executive agency, payment therefor shall be made by the recipient thereof, upon presentation of proper vouchers, in advance or by reimbursement (as may be agreed upon by the Administrator and the officer or body making such request). Such payment may be credited to the applicable appropriation of the executive agency receiving such payment. Notwithstanding the provisions of this subsection, subsection 210 (b) and subsection 210 (c) of this act shall not apply to any building, project or grounds, or to any activity, heretofore placed under the Architect of the Capitol by any provision of law."

Sec. 9. The Federal Property and Administrative Services Act of 1949, section 205 (h), is hereby amended by striking out the last word of the sentence "title" and inserting in lieu thereof the word "act."

Sec. 10. (a) Whenever any contract made on behalf of the Government by the head of any Federal agency, or by officers authorized by him so to do, includes a provision for liquidated damages for delay, the Comptroller General upon recommendation of such head is authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable.

(b) Section 306 of the Federal Property and Administrative Services Act of 1949 is hereby repealed, and this section shall be effective as of July 1, 1949.

Sec. 11. All laws or parts of laws in conflict with the provisions of this act or with any amendment made thereby are, to the extent of such conflict, hereby repealed.

Mr. McCLELLAN. Mr. President, in connection with Senate bill 3959, Calendar No. 2140, I ask unanimous consent to have printed in the Record, following the action on the bill, a letter from the Acting Comptroller General. I may say that the bill is approved by him.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL  
OF THE UNITED STATES,  
Washington, July 25, 1950.

HON. JOHN L. McCLELLAN,  
Chairman, Committee on Expenditures  
in the Executive Departments,  
United States Senate.

MY DEAR MR. CHAIRMAN: In accordance with informal request of yesterday from a member of the staff of your committee, I am pleased to give you the views of the General Accounting Office on S. 3959, Eighty-first Congress, entitled "A bill to amend the Federal Property and Administrative Services Act of 1949, and for other purposes."

The bill is a redraft of S. 3842 which was the subject of my report to you of July 18, 1950. That report contained a section-by-section analysis of S. 3842 and the recommendations of the General Accounting Office thereon. The recommended changes are incorporated in S. 3959, along with certain others of a technical nature. Accordingly, the bill S. 3959 has the approval of the General Accounting Office.

It is understood, also, that your committee desires comment of the General Accounting Office with respect to the desirability of the proposed section 6 of S. 3959, which would be a Federal Records Act of 1950. Although the General Accounting Office is not the agency primarily concerned, it may be said that this section is designed to bring about improved management of Government records. It would impose on the Administrator of General Services the principal responsibility to accomplish this purpose, with the necessary measure of authority to carry out his responsibility in proper balance with the duties and requirements of all the agencies. There would be a central agency, working in cooperation with all others, to lead and coordinate a program of more efficient and effective utilization, maintenance, and disposal of records.

The heads of the Federal agencies would have definite responsibilities in the program, and provision is made for full consideration of their jurisdiction and needs. They would be required to observe standards and principles laid down by the Administrator of General Services, within his authority, and any violation of the act would be reported by the Administrator to the Congress and the President. Adequate safeguards are provided for the performance by the General Accounting Office of its assigned functions.

The Comptroller General and I long have recognized the seriousness of the problems arising from the ever-growing volume of Government records. It is one in the solution of which all of us—the Congress and the President, the departments and agencies, and the taxpayers—have a large stake. A carefully planned, concerted attack on the problem by all concerned is essential. The proposed legislation appears well suited to the undertaking. It would establish a central responsible agency, and call for active participation by all the agencies. It would provide machinery to guide and assist those agencies in the betterment of their own records practices and procedures. Just as is the case in the accounting field, where the Comptroller General, the Secretary of the Treasury, and the Director, Bureau of the Budget—the heads of the three central fiscal agencies—have joined with all the agencies in a cooperative program to improve Federal accounting and financial reporting, a comparable

11254

## CONGRESSIONAL RECORD—SENATE

JULY 26

program for Federal records, under the leadership of the Administrator of General Services, should be a significant step toward greater economy and efficiency in Government.

I trust that this information will serve the purpose of your committee.

Sincerely yours,

FRANK L. YATES,  
Acting Comptroller General of the  
United States.

#### EXCHANGE OF LANDS AT MANHATTAN BEACH, N. Y.

The bill (H. R. 5003) to provide for the exchange between the United States and the State of New York of certain lands and interests in lands at Manhattan Beach, Kings County, N. Y., was considered, ordered to a third reading, read the third time, and passed.

Mr. IVES. Mr. President, at this point, I ask unanimous consent to have printed in the Record, as a part of my remarks, a statement which I have prepared, in support of the bill which has just been passed.

There being no objection, the statement was ordered to be printed in the Record, as follows:

#### STATEMENT BY SENATOR IVES

The purpose of this bill is to provide authority for an equitable exchange of certain lands at Manhattan Beach, N. Y., between the Federal Government and the State of New York.

A dispute has arisen between the Federal Government and the State as to the ownership of part of the land in question. The National Government has purchased from private owners some 50 acres of filled-in land extending out into certain inland waters to which the State claims title.

In return for the State's relinquishing its legal claim to these lands, on part of which the Federal Government has built a permanent maritime training station, the State receives under this bill some surplus lands totaling less than the 50 acres the claim to which the State has relinquished.

The Attorney General of the United States and the attorney general of the State of New York had endeavored to reach an amicable settlement of this dispute by arranging for the identical exchange in lands which is herein authorized. Technicalities developed, however, and it was decided that the United States Attorney General required this specific enabling legislation before he could go through with his part of the agreement. It is to enable the State and Federal Governments to consummate this previously agreed upon arrangement that this bill was introduced.

The land to be received by the State of New York is in the midst of a crowded low-income housing area. Existing recreation facilities are severely overloaded and the lack of adequate playground space contributes to the excessive street-accident and juvenile-delinquency rate in the area.

Plans have been completed for utilization of a considerable part of the land to be received by the State as a developed park area. Since the State plans, at considerable cost, to put this land—presently unused by the Federal Government and surplus—to constructive use, the exchange seems in the best interests of both governments.

Mr. LEHMAN. Mr. President, I make a similar request, namely, to have inserted at this point in the Record a statement in regard to the bill.

There being no objection, the statement was ordered to be printed in the Record, as follows:

#### STATEMENT BY SENATOR LEHMAN

This bill is similar to Senate Joint Resolution 177 which was jointly introduced by the two Senators from New York. This legislation attempts to settle a conflict of property interests between the Federal Government and the State of New York in an equitable manner, and in the interests of both the people of New York and of the Nation.

In my opinion, the single most important result of the passage of this bill will be to permit the city of New York to create a water-front park for the recreational and educational benefit of the many hundreds of thousands of residents of that area. Anyone who has visited that section of New York City knows the disturbing amount of congestion in the two nearest swimming and recreation centers along the ocean front—Coney Island and Brighton Beach. When this bill is passed, New York City will be able to develop this water-front park at Manhattan Beach and thus directly contribute to the health and welfare of the citizens of New York.

Therefore, I am very happy that this bill is now being considered by the Senate and I urge its speedy passage.

#### TRANSFER OF LAND AND IMPROVEMENTS TO NEW MEXICO STATE FAIR

The bill (H. R. 6247) authorizing transfer of land and improvements thereon by the Secretary of the Interior to New Mexico State Fair, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, may we have an explanation?

Mr. ANDERSON. Mr. President, this bill relates to land originally owned by the New Mexico State Fair. In 1935 or 1936 the United States Government, through its Indian Service, asked for the privilege of erecting at the State fair a building in which there might be displays of Indian arts. The State fair granted the land to the Federal Government, which constructed the building. However, the Federal Government now finds that it is not able to maintain the building.

The State fair has said that if the land is transferred back to it, it will maintain the building and will permit the Indian Service to use any or all of the building that it may desire to use at any time for the purpose of fair exhibits, during the State fair.

Therefore, we feel that the bill is a just bill.

Mr. MORSE. I desire to ask one question. The Senator mentioned it, but I want to emphasize it. The bill provides that the Indian Service, and, through it, the Federal Government, shall continue to have the use of this building for its purposes, when, if, and as needed; is that correct?

Mr. ANDERSON. "When or if" needed.

Mr. MORSE. I think that is a reasonable position. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 6247) authorizing transfer of land and improvements thereon by the Secretary of the Interior to New Mexico State

Fair was considered, ordered to a third reading, read the third time, and passed.

#### ADDITIONAL USES OF CERTAIN LANDS BY BUFFALO, WYO.

The bill (H. R. 7977) to authorize the city of Buffalo, Wyo., to make additional uses of certain lands, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. May we have an explanation?

The PRESIDING OFFICER. An explanation is desired.

Mr. O'MAHONEY. Mr. President, as long ago as the act of February 25, 1907, which is certainly several years ago, the Federal Government transferred for park purposes to the city of Buffalo, Wyo., certain lands within the city. The bill is to permit the city to use the lands for hospital or other specific purposes. As a matter of fact, the conveyance was without limitation of any kind, and I have no doubt that lands could be used for this purpose anyway.

Mr. MORSE. Mr. President, the reason I asked for an explanation was that I wanted the Record to show exactly what the Senator from Wyoming has just pointed out, that under the original grant there did not seem to be any limitation at all on the use. But even if there had been a limitation on the use, I desired the record to be clear. I am not going to object to this particular transfer, because it originally was made under the 1907 act, the spirit and intent of which clearly permit the use of this particular land for public purposes; and this certainly is a public purpose, within the spirit and intent of the original act.

Let me make clear for the record, though, that if an attempt were now made to transfer in the first instance Federal property for such purposes, it would be my position that the city of Buffalo would have to pay 50 percent of the appraised market value of the property.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7977) to authorize the city of Buffalo, Wyo., to make additional uses of certain lands, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

#### PAYMENTS TO STATES UNDER OIL LAND LEASING ACT OF 1920

The bill (H. R. 6292) to provide that payments to States under the Oil Land Leasing Act of 1920 shall be made biennially was considered, ordered to a third reading, read the third time, and passed.

Mr. O'MAHONEY subsequently said: Mr. President, we acted upon Calendar No. 2144, House bill 6292 a few moments ago, and passed the bill. After it had been passed I noted the heading on the report, which is as follows:

Providing that payments to States under the Oil Land Leasing Act of 1920 shall be made biennially.

12112

## CONGRESSIONAL RECORD—HOUSE

AUGUST 7

McCulloch  
McGrath  
McMillen, Ill.  
Macy  
Magee  
Marcanonio  
Martin, Mass.  
Mason  
Miller, Md.  
Miller, Nebr.  
Morgan  
Morrison  
Morton  
Murphy  
Murray, Wis.  
Nelson  
Norton  
O'Brien, Mich.  
O'Neill  
Pace  
Patten  
Patterson  
Perkins  
Pfeiffer  
Joseph L.  
Pfeiffer, William L.  
Phillips, Tenn.  
Poulson  
Powell  
Quinn  
Ramsay  
Regan  
Ribicoff  
Rich  
Richards  
Riehlman  
Rivers  
Rogers, Mass.  
Roosevelt  
Sabath  
Sadowski  
St. George  
Sanborn  
Scott, Hardie  
Scott  
Hugh D., Jr.  
Scudder  
Shelley  
Short  
Simpson, Pa.  
Smathers  
Smith, Kans.  
Smith, Ohio  
Spence  
Stanley  
Stockman  
Taylor  
Towe  
Underwood  
Vorys  
Welch  
Wheeler  
Whitaker  
White, Idaho  
Widnall  
Wigglesworth  
Williams  
Willis  
Winstead  
Wood  
Woodhouse

So the motion to recommit was rejected.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Joseph L. Pfeiffer with Mr. Simpson of Pennsylvania.

Mr. Magee with Mr. Taylor.

Mr. Morrison with Mr. LeFevre.

Mr. Keogh with Mr. Macy.

Mr. Murphy with Mr. Towe.

Mr. Roosevelt with Mr. Short.

Mr. Fallon with Mr. Eaton.

Mr. Perkins with Mr. Coudert.

Mr. Klein with Mr. Case of New Jersey.

Mr. Harrison with Mr. Brehm.

Mr. Clemente with Mr. Arends.

Mr. Dalaney with Mr. Fulton.

Mr. Heffernan with Mr. Fenton.

Mr. Green with Mr. Gillette.

Mr. Dingell with Mr. Herter.

Mr. McGrath with Mr. Hinshaw.

Mrs. Kelly of New York with Mr. Jackson of California.

Mr. O'Brien of Michigan with Mr. Wigglesworth.

Mr. Powell with Mr. Hardie Scott.

Mr. Buckley of New York with Mrs. Rogers of Massachusetts.

Mr. Heller with Mr. Kean.

Mr. Dollinger with Mr. James.

Mr. Stanley with Mr. Jenkins.

Mr. Whitaker with Mr. Miller of Maryland.

Mr. Williams with Mr. Martin of Massachusetts.

Mr. Winstead with Mr. Latham.

Mr. Fogarty with Mr. Canfield.

Mr. Eberharter with Mr. Corbett.

Mr. Kennedy with Mr. Dolliver.

Mr. Donohue with Mr. Crawford.

Mr. Frazier with Mr. Riehlman.

Mr. Lane with Mr. Sadlak.

Mrs. Norton with Mrs. St. George.

Mr. Ribicoff with Mr. Hand.

Mr. Patten with Mr. Hugh D. Scott, Jr.

Mr. O'Neill with Mr. Miller of Nebraska.

Mr. Gorski with Mr. Cole of New York.

Mr. Hays of Ohio with Mr. Gwinn.

Mr. Hays of Arkansas with Mr. Edwin Arthur Hall.

Mr. Burton with Mr. Morton.

Mr. Abbott with Mr. Leonard W. Hall.

Mr. Byrne of New York with Mr. Chipfield.

Mr. Barrett of Pennsylvania with Mr. Smith of Kansas.

Mr. Chudoff with Mr. Patterson.

Mr. Cavalcante with Mr. McCulloch.

Mrs. Woodhouse with Mrs. Bolton of Ohio.

Mr. Boggs of Louisiana with Mr. Lichtenwatter.

Mr. Denton with Mr. Mason.

Mr. Kelley of Pennsylvania with Mr. Fellows.

Mr. Burke with Mr. Gamble.

Mr. Smathers with Mr. Golden.

Mr. Davies of New York with Mr. Johnson.

Mr. Shelley with Mr. Scudder.

Mr. Morgan with Mr. Stockman.

Mr. Linehan with Mr. Poulson.

Mr. Bates of Kentucky with Mr. Nelson.

Mr. Gregory with Mr. Goodwin.

Mr. Colmer with Mr. Hale.

Mr. Jones of Missouri with Mr. Jenison.

Mr. Herlong with Mr. Sanborn.

Mr. Regan with Mr. August H. Andresen.

Mr. Underwood with Mr. Barrett of Wyoming.

Mrs. Douglas with Mr. Engel of Michigan.

Mr. Harris with Mr. Jennings.

Mr. Sadowski with Mr. Vorys.

Mr. Wheeler with Mr. Keefe.

Mr. Engle of California with Mr. McMillen of Illinois.

Mr. Bailey with Mr. Murray of Wisconsin.

Mr. Furcolo with Mr. Rich.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

## AMENDING THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 741 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 9129) to amend the Federal Property and Administrative Services Act of 1949, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Expenditures in the Executive Departments, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

(Mr. MADDEN asked and was given permission to revise and extend his remarks.)

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, this bill calls for the rounding out and perfecting of the existing authority for the General Services Administration. It is a piece of legislation that has been long demanded in order to have an efficient business administration of our public records, so as to keep a complete and simplified file of all governmental records.

It has the specific recommendation of the Committee on Organization for the Executive Branch of the Government. It also has the recommendation of the Hoover Commission and will cut down the cost so far as Government paper work is concerned. It is astounding when you realize the amount of paper work which is done by our Government. The files and paper work of our Government is enormously complex and costly. In the District of Columbia the Government owns or leases over 30,000,000 square feet of floor space and 5,000,000 square feet of that floor space is taken up with the files. Nine-tenths of the Federal employees are out in the field on assignments and there are over 40,000 offices throughout the country. The paper used by the Government amounts to between 7 and 10 carloads daily. There are over 800,000 typewriters used by the Government.

Mr. Speaker, there is no opposition to this bill. This bill was reported out, as I said, unanimously by the committee and has received the endorsement of the Hoover Commission, the Bureau of the Budget, the Comptroller General, and the General Services Administration.

I believe that the gentleman from Illinois, Chairman Dawson, and the gentleman from California, Chairman Holtfield of the subcommittee and its sponsor, the gentleman from Missouri [Mr. BOLLING], the gentleman from Michigan [Mr. HOFFMAN], the gentleman from Indiana [Mr. HARVEY], and all the other members of the committee ought to be commended on the excellent work they have done on this legislation. The enactment into law of this bill will save the Government a great deal of money. It is legislation that has been necessary for a long, long time.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may require.

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN] has explained, this resolution, House Resolution 741, makes in order under an open rule the bill H. R. 9129, to amend the Federal Property and Administrative Services Act of 1949, and for other purposes.

As the gentleman so well explained, this simply rounds out the recommendations made by the Hoover Commission so that we may get greater economy and efficiency and obtain better records management through the General Services Administration.

You will perhaps remember that in 1949 we did establish the General Services Administration which has as one of its responsibilities the control of Government records.

This bill is entirely in line with the recommendations of the Hoover Commission. It has the endorsement of various members of the Commission, as well as of the task force which was named by the Commission to make a study of records management. It is one of the few measures to come before this body which will save money instead of

12114

## CONGRESSIONAL RECORD—HOUSE

AUGUST 7

As has been stated, the gentleman from Missouri [Mr. BOLLING] offered the bill and is to be congratulated.

At one point in the reading of the bill I have an amendment that has met with the approval of the entire committee which I will offer and which will be self-explanatory.

(Mr. HARVEY asked and was given permission to revise and extend his remarks.)

Mr. HOLIFIELD. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, this is a noncontroversial bill, so far as I know. We have worked out the details of the bill in line with suggestions from the Hoover Commission, the Citizens Committee for the Hoover Report, the Bureau of the Budget, the General Services Administration, and the General Accounting Office. We think we have a very good bill here, one that will save money instead of causing the Government to spend money.

It is essentially a records-management bill, beginning with section 6; however, in the bill there are also some amendments which the efficient operation of the General Services Administration make it desirable and necessary to offer. Some of the amendments have no direct connection with the records-management section of the bill, which is the major section of the bill; however, because these are the closing days of Congress we thought it would be wise to include them due to the fact that they are all amendments to the basic Federal Property and Administrative Services Act of 1949, now Public Law 152.

With this bill we will give the General Services Administrator the tools necessary for him to save the Government many millions of dollars. You know, the increase of records has been astounding. We have over 13,500,000 cubic feet of records, and most of these records are in file cases. Each one of these file cases the Hoover Commission estimated cost the Government \$29 a year.

Many of those records can be transferred to record-management centers. This bill provides for the setting up of record-management centers on a regional basis. It is estimated we can possibly use some of the white elephant wartime buildings that were built for this purpose. The estimate of the Hoover Commission was that the records that are now in a 4-foot-high filing case could be transferred to record centers and thereby reduce the cost to the Government from \$29 to \$2.15 on the records cost of each case.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I feel that the gentleman and his committee have rendered a very fine service in bringing this bill before us. I am glad to see it come here with the united backing of the committee. It is obvious that it is good legislation, that it is going to be very helpful legislation. There is one part of the bill I am particularly interested in, and I would like to have the gentleman's comments on it. I refer to

the section of the bill which provides a method for the distribution of surplus Government commodities to the hospitals of the country in the same way in which Government surplus commodities may now be distributed to the schools of the country. As my friend knows, the gentleman from Florida [Mr. ROGERS] and I appeared before his subcommittee and supported that section. I wish my friend would touch on it.

Mr. HOLIFIELD. The section that the gentleman from Florida [Mr. SIKES] speaks of its taken almost verbatim from bills which have heretofore been introduced by him and by the gentleman from Florida [Mr. ROGERS]. They sought to restore to the General Services Administration the right to make available surplus property to tax-supported hospitals, health clinics, and different types of health organizations—which are clearly outlined in the bill—giving them the same right to come and ask for such surplus property, as might be available and usable, on the same basis that the educational institutions in our country have been allowed to come and ask for surplus property. This was provided for in the earlier Surplus Property Act. It was inadvertently left out previously, and the wisdom of restoring this section has appealed to all of the members of the committee on both sides. While there is not a great deal of this type of surplus property available at the present time, there may be considerable surplus property generated through the present enlarged expenditures for defense purposes. This bill will grant to some small hospitals and health centers in small towns, and in the large towns for that matter, throughout the Nation, a chance to get some of this material. But, remember that it only becomes surplus after it has been thoroughly screened by the General Services Administrator and offered to every other Government agency. It is excess until it is offered to them, and when no one takes it, it becomes surplus. At that time it can be donated by the General Services Administration on the same basis that material is now donated to the educational institutions of the country.

I want to compliment the gentlemen from Florida [Mr. SIKES and Mr. ROGERS] for introducing their bill far in advance of our records management bill, and also thank them for their assistance in drafting this particular legislation.

Unless there are some questions on this bill, which is a rather technical bill, I do not have much more to say. The provisions are carefully drawn, and as long as there is no controversy, I do not care to take the time of the House in going through a long and tedious explanation of technical provisions. I will be willing to answer any question that is asked. If there are no questions, I will yield back the balance of my time.

Mr. HARVEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

(Mr. WOLVERTON asked and was given permission to revise and extend his remarks.)

Mr. WOLVERTON. Mr. Chairman, I am in full accord with the pending bill and give it my support.

The purpose of the bill is to enable the General Services Administration of the Government to simplify and better systematize Government records. It is in accord with the recommendations of the Hoover Commission on Organization of the Executive Branch of the Government. The proposed legislation is designed to cut down the cost and quantity of Government paper work.

This measure also incorporates certain clarifying and technical amendments relating to other statutory duties of the General Services Administration which are considered necessary for more efficient performance of those duties.

The urgent need for a comprehensive and effective program for records management is made plain by the findings and recommendations of the Commission on Organization and the report of its task force on records management.

Today in the Federal Government the handling of paper work in the conduct of public business is enormous, complex, and costly. The Bureau of the Budget reports that in the District of Columbia alone the Federal Government owns or leases in excess of 30,000,000 square feet of space; about 5,000,000 square feet, or 16½ percent of the total, are taken up by files. When it is considered that nine-tenths of the Federal employees are in field assignments, in some 40,000 offices throughout the country, the magnitude of the files problem is readily apparent. In the large cities of our Nation, where many Federal offices are located, the records management problems are almost as acute as those encountered by the Federal Government in the Washington area.

Each day sees large additions of material to the present tremendous accumulation of Government files.

Seven to ten carloads of paper stock arrive daily at the Government Printing Office. In large part, this paper is prepared for the requirements of the various governmental agencies. Federal agencies use an estimated 100,000 different kinds of forms; 80 to 95 percent are specific agency forms; the remaining 5 to 20 percent are standard forms. Clearly this field offers a vast opportunity for standardization.

To add to the output of forms of the Government Printing Office, 800,000 Government typewriters daily produce myriads of letters; the mimeographs, multigraphs, and other machines make millions of copies of Government documents, forms, contracts, and other papers. Clippings from newspapers, magazines, and other periodicals add to the great mass of material which goes into the files.

The Bureau of the Budget cites this striking hypothetical example from one administrative department: That agency has 20,000,000 individual file cases or folders. If one sheet of paper were to be added to each folder, 40,000 reams of paper would be used, or about 80,000 inches—6,600 feet. In other words, more than a mile of file space would be



1950

## CONGRESSIONAL RECORD—HOUSE

12115

required merely to add one sheet of paper to each folder. This is illustrative of only one administrative department.

A number of agencies besides the administration to which I have referred have individual cases that run into the millions.

The committee of Congress having jurisdiction in the matter has given careful study to the proposed legislation and is unanimous in urging its enactment. The Citizens' Committee for the Hoover Report, experts in records management, and the Bureau of the Budget, the Comptroller General of the United States, and the General Services Administrator are all in full accord as to the need and importance of this measure.

This bill will result in a more orderly and efficient administration of the records of Federal agencies and will facilitate the performance by the administrator of his functions with respect to supply and building management activities. It is also evident that substantial economies will be effected by the enactment of this bill. It deserves the support of the Congress.

Mr. HOLIFIELD. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BOLLING], the author of this bill.

Mr. BOLLING. Mr. Chairman, there seems little point in further elaborating on this subject, since there is no opposition to it. I would like to point out, however, that in addition to the work done by the members of the subcommittee and the contribution made by the gentlemen from Florida [Mr. SIKES and Mr. ROGERS], the gentleman from South Dakota [Mr. CASE] introduced legislation in substantially the same language as section 211 on page 12 which deals with motor vehicle identification. The gentleman from Illinois [Mr. O'HARA] also contributed a section and an idea to the bill in rounding out the activity of the General Services Administration.

I do think it is important to make clear in the Record, one additional fact. In addition to providing means for the storage and disposal on the most economical basis possible of the vast volume of Government records which we now have, this bill will have an impact on the basic and fundamental problem in all of records management, that is, the creation of new records. There is provision herein for a system to be set up which will enable Government agencies to gradually reduce the rather hit-or-miss creation of records which we now have.

We are hopeful that this will lead not only to economy in the storage of the present heavy volume of records but to future economies in that fewer records will be created than there would be without the passage of this legislation.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the parenthetical expression appearing in clause (1) of the final sentence of subsection (a) of section 109 of the Federal Property and Administrative Services Act of 1949 (Public Law 152, Eighty-first Congress) is amended to read as follows:

"(Including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents)."

Sec. 2. (a) Clause (2) of the final sentence of subsection (a) of section 109 of the Federal Property and Administrative Services Act of 1949, as hereinbefore amended, is amended to read as follows: "(2) for paying the purchase price, transportation to first storage point of supplies and services, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property."

(b) The third sentence of subsection (b) of section 109 of such act is amended to read as follows: "On and after such date, such prices shall be fixed at levels so as to recover so far as practicable the applicable purchase price, the transportation cost to first storage point, inventory losses, the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and the cost of amortization and repair of equipment utilized for lease or rent to executive agencies."

(c) The amendments made by this section shall be effective on the date, not earlier than July 1, 1950, on which the Administrator of General Services shall determine that appropriated funds adequate to effectuate the purposes of such amendments have been made available.

Sec. 3. (a) The final sentence of subsection (b) of section 109 of the Federal Property and Administrative Services Act of 1949 is amended to read as follows: "Where an advance of funds is not made, the General Services Administration shall be reimbursed promptly out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General: *Provided*, That in any case where payment shall not have been made by the requisitioning agency within 45 days after the date of billing by the Administrator or the date on which an actual liability for supplies or services is incurred by the Administrator, whichever is the later, reimbursement may be obtained by the Administrator by the issuance of transfer and counterwarrants, or other lawful transfer documents, supported by itemized invoices."

(b) Section 109 of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new subsection:

"(g) The Administrator of General Services is authorized in his discretion to charge vendors and producers of commodities considered for purchase such fees as he shall determine to be reasonable for testing such commodities for conformance to specifications and standards, and such fees may be deposited in the General Supply Fund and used to defray the expenses of conducting such tests as the Administrator may prescribe."

Sec. 4. Paragraphs (1) and (2) of section 203 (j) of the Federal Property and Administrative Services Act of 1949 are amended to read as follows:

"(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate for educational purposes or public health purposes, including research, in the States, Territories, and Possessions without cost (except for costs of care and handling) such equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined under paragraph (2) or paragraph (3) of this subsection to be usable and necessary for educational purposes or public health purposes, including research.

"(2) Determination whether such surplus property (except surplus property donated in conformity with paragraph (3) of this subsection) is usable and necessary for educational purposes or public health purposes, including research, shall be made by the Federal Security Administrator, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities; and to other non-profit medical institutions, hospitals, clinics, health centers, schools, colleges, and universities which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code, or to State departments of education or health for distribution to such tax-supported and nonprofit medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities; except that in any State where another agency is designated by State law for such purpose such transfer shall be made to said agency for such distribution within the State."

Sec. 5. The Federal Property and Administrative Services Act of 1949 is amended by—

(a) redesignating section 210 thereof as section 212, and wherever such section number appears in such act as originally enacted, it is amended to conform to the redesignation prescribed by this subsection;

(b) inserting in the table of contents appearing in the first section of such act, immediately after the line in which "Sec. 209," appears, the following:

"Sec. 210. Operation of buildings and related activities.

"Sec. 211. Motor vehicle identification."

(c) inserting, immediately after section 209 thereof, the following new sections:

**"OPERATION OF BUILDINGS AND RELATED ACTIVITIES**

"SEC. 210. (a) Whenever and to the extent that the Administrator has been or hereafter may be authorized by any provision of law other than this subsection to maintain, operate, and protect any building, property, or grounds situated in or outside the District of Columbia, including the construction, repair, preservation, demolition, furnishing, and equipment thereof, he is authorized in the discharge of the duties so conferred upon him—

"(1) to purchase, repair, and clean uniforms for civilian employees of the General Services Administration who are required by law or regulation to wear uniform clothing;

"(2) to furnish arms and ammunition for the protection force maintained by the General Services Administration;

"(3) to pay ground rent for buildings owned by the United States or occupied by Federal agencies, and to pay such rent in advance when required by law or when the Administrator shall determine such action to be in the public interest;

"(4) to employ and pay personnel employed in connection with the functions of operation, maintenance, and protection of property at such per diem rates as may be approved by the Administrator, not exceeding rates currently paid by private industry for similar services in the place where such services are performed;

"(5) without regard to the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), as amended, to pay rental, and to make repairs, alterations, and improvements under the terms of any lease entered into by, or transfer to, the General Service Administration for the housing of any Federal agency which on June 30, 1950, was specifically exempted by law from the requirements of said section;

"(6) to obtain payments, through advances or otherwise, for services, space,

quarters, maintenance, repair, or other facilities furnished, on a reimbursable basis, to any other Federal agency, or any mixed-ownership corporation (as defined in the Government Corporation Control Act), or the District of Columbia, and to credit such payments to the applicable appropriation of the General Services Administration;

"(7) to make changes in, maintain, and repair the pneumatic tube system connecting buildings owned by the United States or occupied by Federal agencies in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and to make payments of any obligations arising thereunder in accordance with the provisions of the acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533);

"(8) to repair, alter, and improve rented premises, without regard to the 25 percent limitation of section 322 of the act of June 30, 1932 (47 Stat. 412), as amended, upon a determination by the Administrator that by reason of circumstances set forth in such determination the execution of such work, without reference to such limitation is advantageous to the Government in terms of economy, efficiency, or national security. A copy of every such determination shall be furnished to the General Accounting Office;

"(9) to pay sums in lieu of taxes on real property declared surplus by Government corporations, pursuant to the Surplus Property Act of 1944, where legal title to such property remains in any such Government corporation;

"(10) to furnish utilities and other services where such utilities and other services are not provided from other sources to persons, firms, or corporations occupying or utilizing plants or portions of plants which constitute (A) a part of the National Industrial Reserve pursuant to the National Industrial Reserve Act of 1943, or (B) surplus real property, and to credit the amounts received therefrom to the applicable appropriation of the General Services Administration;

"(11) at the direction of the Secretary of Defense, to use proceeds received from insurance against damage to properties of the National Industrial Reserve for repair or restoration of the damaged properties; and

"(12) to acquire, by purchase, condemnation, or otherwise, real estate and interests therein.

"(b) At the request of any Federal agency or any mixed-ownership corporation (as defined in the Government Corporation Control Act), or the District of Columbia, the Administrator is hereby authorized to operate, maintain, and protect any building owned by the United States (or, in the case of any wholly owned or mixed-ownership Government corporation, by such corporation) and occupied by the agency or instrumentality making such request.

"(c) At the request of any Federal agency or any mixed-ownership corporation (as defined in the Government Corporation Control Act), the District of Columbia, the Administrator is hereby authorized (1) to acquire land for buildings and projects authorized by the Congress; (2) to make or cause to be made, under contract or otherwise, surveys and test borings and to prepare plans and specifications for such buildings and projects prior to the approval by the Attorney General of the title to the sites thereof; and (3) to contract for, and to supervise, the construction and development and the equipping of such buildings or projects. Any sum available to any such Federal agency or instrumentality for any such building or project may be transferred by such agency to the General Services Administration in advance for such purposes as the Administrator shall determine to be necessary, including the payment of salaries and expenses of personnel engaged in the preparation of plans and specifications or in field

supervision, and for general office expenses to be incurred in the rendition of any such service.

"(d) Whenever the Director of the Bureau of the Budget shall determine such action to be in the interest of economy or efficiency, he shall transfer to the Administrator all functions then vested in any other Federal agency with respect to the operation, maintenance, and custody of any office building owned by the United States or any wholly owned Government corporation, or any office building or part thereof occupied by any Federal agency under any lease, except that no transfer shall be made under this subsection—

"(1) of any post-office building unless the Director shall first determine that such building is not used predominantly for post-office purposes, and functions which are transferred hereunder to the Administrator with respect to any post-office building may be delegated by him only to another officer or employee of the General Services Administration or to the Postmaster General;

"(2) of any building located in any foreign country;

"(3) of any building located on the grounds of any fort, camp, post, arsenal, navy yard, naval training station, airfield, proving ground, military supply depot, or school, or of any similar facility of the Department of Defense, unless and to such extent as a permit for its use by another agency or agencies shall have been issued by the Secretary of Defense or his duly authorized representative;

"(4) of any building which the Director of the Bureau of the Budget finds to be a part of a group of buildings which are (A) located in the same vicinity, (B) utilized wholly or predominantly for the special purposes of the agency having custody thereof, and (C) not generally suitable for the use of other agencies;

"(5) of the Treasury Building, the Bureau of Engraving and Printing Building, the buildings occupied by the National Bureau of Standards, and the buildings under the jurisdiction of the regents of the Smithsonian Institution; or

"(6) of the office buildings of the Senate and House of Representatives, the building occupied by the Supreme Court of the United States, the buildings occupied by the Library of Congress and the Columbia Hospital in the District of Columbia, and any other buildings and grounds under the jurisdiction of the Architect of the Capitol.

#### "MOTOR VEHICLE IDENTIFICATION

"Sec. 211. Under regulations prescribed by the Administrator, every motor vehicle acquired and used for official purposes within the United States, its Territories, or possessions, by any Federal agency or the District of Columbia shall be conspicuously identified by showing thereon either (a) the full name of the department, establishment, corporation, or agency by which it is used and the service in which it is used, or (b) a title descriptive of the service in which it is used if such title readily identifies the department, establishment, corporation, or agency concerned: *Provided*, That the regulations issued pursuant to this section may provide for exemptions from the requirement of this section when conspicuous identification would interfere with the purpose for which a vehicle is acquired and used."

Sec. 6. The Federal Property and Administrative Services Act of 1949 is amended by—

(a) redesignating "title V" of such act as "title VI" thereof, and "title V", wherever it appears therein, is amended to read "title VI";

(b) redesignating sections 501-505, inclusive, of such act, respectively, as sections 601-605, inclusive, thereof, and whenever any such section number appears in such act as originally enacted, it is amended to

conform in numbering to the redesignation prescribed by this subsection;

(c) inserting at the proper place in the table of contents to such act the following:

#### "TITLE V—FEDERAL RECORDS

"Sec. 501. Short title.

"Sec. 502. Custody and control of property.

"Sec. 503. National Historical Publications Commission.

"Sec. 504. Federal Records Council.

"Sec. 505. Records management; the Administrator.

"Sec. 506. Records management; agency heads.

"Sec. 507. Archival administration.

"Sec. 508. Reports.

"Sec. 509. Legal status of reproductions.

"Sec. 510. Limitation on liability.

"Sec. 511. Definitions."

(d) inserting, immediately following title IV thereof, the following new title:

#### "TITLE V—FEDERAL RECORDS

##### "SHORT TITLE

"Sec. 501. This title may be cited as the 'Federal Records Act of 1950.'

#### "CUSTODY AND CONTROL OF PROPERTY

"Sec. 502. The Administrator shall have immediate custody and control of the National Archives Building and its contents, and shall have authority to design, construct, purchase, lease, maintain, operate, protect, and improve buildings used by him for the storage of records of Federal agencies in the District of Columbia and elsewhere.

#### "NATIONAL HISTORICAL PUBLICATIONS COMMISSION

"Sec. 503. (a) There is hereby created a National Historical Publications Commission consisting of the Archivist (or an alternate designated by him), who shall be chairman; the Librarian of Congress (or an alternate designated by him); one Member of the United States Senate to be appointed, for a term of 4 years, by the President of the Senate; one Member of the House of Representatives to be appointed, for a term of 2 years, by the Speaker to the House of Representatives; one representative of the judicial branch of the Government to be appointed, for a term of 4 years, by the Chief Justice of the United States; one representative of the Department of State to be appointed, for a term of 4 years, by the Secretary of State; one representative of the Department of Defense to be appointed, for a term of 4 years, by the Secretary of Defense; two members of the American Historical Association to be appointed council of the said association, one of whom shall serve an initial term of 2 years and the other an initial term of 3 years, but their successors shall be appointed for terms of 4 years; and two other members outstanding in the fields of the social or physical sciences to be appointed by the President of the United States, one of whom shall serve an initial term of 1 year and the other an initial term of 3 years, but their successors shall be appointed for terms of 4 years. The Commission shall meet annually and on call of the Chairman.

"(b) Any person appointed to fill a vacancy in the membership of the Commission shall be appointed only for the unexpired term of the member whom he shall succeed, and his appointment shall be made in the same manner in which the appointment of his predecessor was made.

"(c) The Commission is authorized to appoint, without reference to the Classification Act of 1949 (Public Law 429, 81st Cong. approved Oct. 28, 1949), an executive director and such editorial and clerical staff as the Commission may determine to be necessary. Members of the Commission who represent any branch or agency of the Government shall serve as members of the Commission without additional compensa-

tion. All members of the Commission shall be reimbursed for transportation expenses incurred in attending meetings of the Commission, and all such members other than those who represent any branch or agency of the Government of the United States shall receive in lieu of subsistence en route to or from or at the place of such service, for each day actually spent in connection with the performance of their duties as members of such Commission, such sum, not to exceed \$25, as the Administrator shall prescribe.

"(d) The Commission shall make plans, estimates, and recommendations for such historical works and collections of sources as it deems appropriate for printing or otherwise recording at the public expense. The Commission shall also cooperate with and encourage appropriate Federal, State, and local agencies and nongovernmental institutions, societies, and individuals in collecting and preserving and, when it deems such action to be desirable, in editing and publishing the papers of outstanding citizens of the United States and such other documents as may be important for an understanding and appreciation of the history of the United States. The Chairman of the Commission shall transmit to the Administrator from time to time, and at least once annually, such plans, estimates, and recommendations as have been approved by the Commission.

#### "FEDERAL RECORDS COUNCIL

"Sec. 504. The Administrator shall establish a Federal Records Council, and shall advise and consult with the Council with a view to obtaining its advice and assistance in carrying out the purposes of this title. The Council shall include representatives of the legislative, judicial, and executive branches of the Government in such number as the Administrator shall determine, but such Council shall include at least four representatives of the legislative branch, at least two representatives of the judicial branch, and at least six representatives of the executive branch. Members of the Council representing the legislative branch shall be designated, in equal number, by the President of the Senate and the Speaker of the House of Representatives, respectively. Members of the Council representing the judicial branch shall be designated by the Chief Justice of the United States. The Administrator is authorized to designate from persons named by the head of any executive agency concerned, not more than one representative from such agency to serve as a member of the Council. Members of the Council shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties as members of the Council. The Council shall elect a chairman from among its own membership, and shall meet at least once annually.

#### "RECORDS MANAGEMENT; THE ADMINISTRATOR

"Sec. 505. (a) The Administrator shall make provisions for the economical and efficient management of records of Federal agencies (1) by analyzing, developing, promoting, and coordinating standards, procedures, and techniques, designed to improve the management of records, to insure the maintenance and security of records deemed appropriate for preservation, and to facilitate the segregation and disposal of records of temporary value, and (2) by promoting the efficient and economical utilization of space, equipment, and supplies needed for the purpose of creating, maintaining, storing, and servicing records.

"(b) The Administrator shall establish standards for the selective retention of records of continuing value, and assist Federal agencies in applying such standards to records in their custody; and he shall notify the head of any Federal agency of any actual, impending, or threatened unlawful removal,

defacing, alteration, or destruction of records in the custody of such agency that shall come to his attention, and assist the head of such agency in initiating action through the Attorney General for the recovery of such records as shall have been unlawfully removed and for such other redress as may be provided by law.

"(c) The Administrator is authorized to inspect or survey personally or by deputy the records of any Federal agency, as well as to make surveys of records management and records-disposal practices in such agencies, and shall be given the full cooperation of officials and employees of agencies in such inspections and surveys: *Provided*, That records, the use of which is restricted by or pursuant to law or for reasons of national security or the public interest, shall be inspected or surveyed in accordance with regulations promulgated by the Administrator, subject to the approval of the head of the custodial agency.

"(d) The Administrator is authorized to establish, maintain, and operate records centers for the storage, processing, and servicing of records for Federal agencies pending their deposit with the National Archives of the United States or their disposition in any other manner authorized by law; and to establish, maintain, and operate centralized microfilming services for Federal agencies.

"(e) Subject to applicable provisions of law, the Administrator shall promulgate regulations governing the transfer of records from the custody of one executive agency to that of another.

"(f) The Administrator may empower any Federal agency, upon the submission of evidence of need therefor, to retain records for a longer period than that specified in disposal schedules approved by Congress, and, in accordance with regulations promulgated by him, may withdraw disposal authorizations covering records listed in disposal schedules approved by Congress.

#### "RECORDS MANAGEMENT; AGENCY HEADS

"Sec. 506. (a) The head of each Federal agency shall cause to be made and preserved records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

"(b) The head of each Federal agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. Such program shall, among other things, provide for (1) effective controls over the creation, maintenance, and use of records in the conduct of current business; (2) cooperation with the Administrator in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value; and (3) compliance with the provisions of this title and the regulations issued thereunder.

"(c) Whenever the head of a Federal agency determines that substantial economies or increased operating efficiency can be effected thereby, he shall provide for the storage, processing, and servicing of records that are appropriate therefor in a records center maintained and operated by the Administrator or, when approved by the Administrator, in such a center maintained and operated by the head of such Federal agency.

"(d) Any official of the Government who is authorized to certify to facts on the basis of records in his custody, is hereby authorized to certify to facts on the basis of records that have been transferred by him or his predecessors to the Administrator.

"(e) The head of each Federal agency shall establish such safeguards against the removal or loss of records as he shall determine to be necessary and as may be required by regulations of the Administrator. Such safeguards shall include making it known to all officials and employees of the agency (1) that no records in the custody of the agency are to be alienated or destroyed except in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380-383), as amended July 6, 1945 (59 Stat. 434), and (2) the penalties provided by law for the unlawful removal or destruction of records.

"(f) The head of each Federal agency shall notify the Administrator of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency of which he is the head that shall come to his attention, and with the assistance of the Administrator shall initiate action through the Attorney General for the recovery of records he knows or has reason to believe have been unlawfully removed from his agency, or from any other Federal agency whose records have been transferred to his legal custody.

"(g) Nothing in this title shall be construed as limiting the authority of the Comptroller General of the United States with respect to prescribing accounting systems, forms, and procedures, or lessening the responsibility of collecting and disbursing officers for rendition of their accounts for settlement by the General Accounting Office.

#### "ARCHIVAL ADMINISTRATION

"Sec. 507. (a) The Administrator, whenever it appears to him to be in the public interest, is hereby authorized—

"(1) to accept for deposit with the National Archives of the United States the records of any Federal agency or of the Congress of the United States that are determined by the Archivist to have sufficient historical value to warrant their continued preservation by the United States Government;

"(2) to direct and effect, with the approval of the head of the originating agency (or if the existence of such agency shall have been terminated, then with the approval of his successor in function, if any), the transfer of records deposited (or approved for deposit) with the National Archives of the United States to public or educational institutions or associations: *Provided*, That the title to such records shall remain vested in the United States unless otherwise authorized by Congress; and

"(3) to direct and effect the transfer of materials from private sources authorized to be received by the Administrator by the provisions of subsection (e) of this section.

"(b) The Administrator shall be responsible for the custody, use, and withdrawal of records transferred to him: *Provided*, That whenever any records the use of which is subject to statutory limitations and restrictions are so transferred, permissive and restrictive statutory provisions with respect to the examination and use of such records applicable to the head of the agency from which the records were transferred or to employees of that agency shall thereafter likewise be applicable to the Administrator, the Archivist, and to the employees of the General Services Administration, respectively: *Provided further*, That whenever the head of any agency shall specify in writing restrictions that appear to him to be necessary or desirable in the public interest, on the use or examination of records being considered for transfer from his custody to the Administrator, the Administrator shall impose such restrictions on the records so transferred, and shall not remove or relax such restrictions without the concurrence in writing of the head of the agency from which the material shall have been transferred (or if the existence of such agency shall have been terminated, then he shall not remove or relax such restrictions without the concurrence of the

12118

## CONGRESSIONAL RECORD—HOUSE

AUGUST 7

successor in function, if any, of such agency head): *Provided, however*, That statutory and other restrictions referred to in the provisos of this subsection shall not remain in force or effect after the records have been in existence for 50 years unless the Administrator by order shall determine with respect to specific bodies of records that such restrictions shall remain in force and effect for a longer period: *And provided further*, That restrictions on the use or examination of records deposited with the National Archives of the United States heretofore imposed and now in force and effect under the terms of section 3 of the National Archives Act, approved June 19, 1934, shall continue in force and effect regardless of the expiration of the tenure of office of the official who imposed them but may be removed or relaxed by the Administrator with the concurrence in writing of the head of the agency from which material has been transferred (or if the existence of such agency shall have been terminated, then with the concurrence in writing of his successor in function, if any).

"(c) The Administrator shall make provisions for the preservation, arrangement, repair, and rehabilitation, duplication and reproduction (including microcopy publications), description, and exhibition of records transferred to him as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use; and, when approved by the National Historical Publications Commission, he may also publish such historical works and collections of sources as seem appropriate for printing or otherwise recording at the public expense.

"(d) The Administrator shall make such provisions and maintain such facilities as he deems necessary or desirable for servicing records in his custody that are not exempt from examination by statutory provisions or other restrictions.

"(e) The Administrator may accept for deposit—

"(1) the personal papers and other personal historical documentary materials of the present President of the United States, his successors, heads of executive departments, and such other officials of the Government as the President may designate, offered for deposit under restrictions respecting their use specified in writing by the prospective depositors: *Provided*, That restrictions so specified on such materials, or any portions thereof, accepted by the Administrator for such deposit shall have force and effect during the lifetime of the depositor or for a period not to exceed 25 years, whichever is longer, unless sooner terminated in writing by the depositor or his legal heirs: *And provided further*, That the Archivist determines that the materials accepted for such deposit will have continuing historical or other values;

"(2) motion-picture films, still pictures, and sound recordings from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

Title to materials so deposited under this subsection shall pass to and vest in the United States.

"(f) The Administrator is hereby authorized to make and preserve motion-picture films, still pictures, and sound recordings pertaining to and illustrative of the historical development of the United States Government and its activities, and to make provisions for preparing, editing, titling, scoring, processing, duplicating, reproducing, exhibiting, and releasing for nonprofit educational purposes, motion-picture films, still pictures, and sound recordings in his custody.

## "REPORTS

"Sec. 508. (a) The Administrator is hereby authorized, whenever he deems it necessary,

to obtain reports from Federal agencies on their activities under the provisions of this title and the act approved July 7, 1943 (57 Stat. 380-383), as amended July 6, 1945 (59 Stat. 434).

"(b) The Administrator shall, whenever he finds that any provisions of this title have been or are being violated, inform in writing the head of the agency concerned of such violations and make recommendations regarding means of correcting them. Unless corrective measures satisfactory to the Administrator are inaugurated within a reasonable time, the Administrator shall submit a written report thereon to the President and the Congress.

## "LEGAL STATUS OF REPRODUCTIONS

"Sec. 509. (a) Whenever any records that are required by statute to be retained indefinitely have been reproduced by photographic, microphotographic, or other processes, in accordance with standards established by the Administrator, the indefinite retention of such photographic, microphotographic, or other reproductions will be deemed to constitute compliance with the statutory requirement for the indefinite retention of such original records. Such reproductions, as well as reproductions made in compliance with regulations promulgated to carry out this title, shall have the same legal status as the originals thereof.

"(b) There shall be an official seal for the National Archives of the United States which shall be judicially noticed. When any copy or reproduction, furnished under the terms hereof, is authenticated by such official seal and certified by the Administrator, such copy or reproduction shall be admitted in evidence equally with the original from which it was made.

"(c) The Administrator may charge a fee not in excess of 10 percent above the costs or expenses for making or authenticating copies or reproductions of materials transferred to his custody. All such fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund provided for in section 5 of the act approved July 9, 1941. There shall be no charge for making or authenticating copies or reproductions of such materials for official use by the United States Government: *Provided*, That reimbursement may be accepted to cover the cost of furnishing such copies or reproductions that could not otherwise be furnished.

## "LIMITATION ON LIABILITY

"Sec. 510. With respect to letters and other intellectual productions (exclusive of material copyrighted or patented) after they come into the custody or possession of the Administrator, neither the United States nor its agents shall be liable for any infringement of literary property rights or analogous rights arising thereafter out of use of such materials for display, inspection, research, reproduction, or other purposes.

## "DEFINITIONS

"Sec. 511. When used in this title—

"(a) The term 'records' shall have the meaning given to such term by section 1 of the act entitled 'An act to provide for the disposal of certain records of the United States Government', approved July 7, 1943 (57 Stat. 380, as amended; 44 U. S. C. 366);

"(b) The term 'records center' means an establishment maintained by the Administrator or by a Federal agency primarily for the storage, servicing, security, and processing of records that must be preserved for varying periods of time and need not be retained in office equipment and space;

"(c) The term 'servicing' means making available for use information in records and other materials in the custody of the Administrator—

"(1) by furnishing such records or other materials, or information from such records or other materials, or copies or reproductions

thereof to agencies of the Government for official use and to the public; and

"(2) by making and furnishing authenticated or unauthenticated copies or reproductions of such records and other materials;

"(d) The term 'National Archives of the United States' means those official records that have been determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, and have been accepted by the Administrator for deposit in his custody;

"(e) The term 'unauthenticated copies' means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence; and

"(f) The term 'Archivist' means the Archivist of the United States."

Sec. 7. The Federal Property and Administrative Services Act of 1949 is further amended by—

(a) striking out the word "and" preceding "(2)" in subsection (d) of section 3 thereof; substituting a semicolon for the period at the end of said subsection; and adding at the end of such subsection the following: "and (3) records of the Federal Government";

(b) striking out, in section 208 (a) thereof, the expression "and V," and inserting in lieu thereof the expression "V, and VI";

(c) striking out, in section 208 (b) thereof, the expression "and V," and inserting in lieu thereof the expression "V, and VI";

(d) striking out the word "and" at the end of paragraph (30) of section 602 (a); striking out the period at the end of paragraph (31) of section 602 (a) and inserting in lieu thereof a semicolon; and adding at the end of section 602 (a) the following new paragraphs:

"(32) the act entitled 'An act to establish a National Archives of the United States Government, and for other purposes,' approved June 19, 1934 (48 Stat. 1122-1124; as amended; 44 U. S. C. 300, 300a); and

"(33) section 4 of the act of February 3, 1905 (33 Stat. 687, as amended; 5 U. S. C. 77)."

(e) amending subsections 602 (b) and (c) thereof to read as follows:

"(b) There are hereby superseded—

"(1) the provisions of the first, third, and fifth paragraphs of section 1 of Executive Order No. 6166 of June 10, 1933, insofar as they relate to any function now administered by the Bureau of Federal Supply except functions with respect to standard contract forms; and

"(2) sections 2 and 4 of the act entitled 'An act to provide for the disposal of certain records of the United States Government,' approved July 7, 1943 (57 Stat. 381, as amended; 44 U. S. C. 367 and 369), to the extent that the provisions thereof are inconsistent with the provisions of title V of this act.

"(c) The authority conferred by this act shall be in addition and paramount to any authority conferred by any other law and shall not be subject to the provisions of any law inconsistent herewith, except that sections 205 (b) and 206 (c) of this act shall not be applicable to any Government corporation or agency which is subject to the Government Corporation Control Act (59 Stat. 597; 31 U. S. C. 841)."

(f) amending paragraphs (17), (18), and (19) of section 602 (d) thereof to read as follows:

"(17) the Central Intelligence Agency; or

"(18) the Joint Committee on Printing, under the act entitled 'An act providing for the public printing and binding and the distribution of public documents' approved January 12, 1895 (28 Stat. 601), as amended, or any other act; or

"(19) for such period of time as the President may specify, any other authority of any executive agency which the President de-



1950

## CONGRESSIONAL RECORD—HOUSE

12119

termines within 1 year after the effective date of this act should, in the public interest, stand unimpaired by this act."

(g) striking out the period at the end of section 803 (a) thereof and inserting in lieu thereof a comma and the following: "including payment in advance, when authorized by the Administrator, for library memberships in societies whose publications are available to members only, or to members at a price lower than that charged to the general public."

Sec. 8. (a) Subsection 3 (b) of the Federal Property and Administrative Services Act, of 1949 is amended to read as follows:

"(b) The term 'Federal agency' means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his direction)."

(b) Section 201 (b) of the Federal Property and Administrative Services Act of 1949 is amended by striking out the expression "or the Senate, or the House of Representatives,"

(c) Section 602 of the Federal Property and Administrative Services Act of 1949 is amended by redesignating subsection (e) thereof of subsection (f), and inserting, immediately after subsection (d) thereof, the following new subsection:

"(e) No provision of this act as originally enacted or as herein amended shall apply to the Senate or the House of Representatives (including the Architect of the Capitol and any building, activity, or function, under his direction), but any of the services and facilities authorized by this act to be rendered or furnished shall, as far as practicable, be made available to the Senate, the House of Representatives, or the Architect of the Capitol, upon their request, and, if payment would be required for the rendition or furnishing of a similar service or facility to an executive agency, payment therefor shall be made by the recipient thereof, upon presentation of proper vouchers, in advance or by reimbursement (as may be agreed upon by the Administrator and the officer or body making such request). Such payment may be credited to the applicable appropriation of the executive agency receiving such payment."

Sec. 9. The Federal Property and Administrative Services Act of 1949, section 205 (h), is hereby amended by striking out the last word of the sentence "Title" and inserting in lieu thereof the word "Act".

Sec. 10. (a) Whenever any contract made on behalf of the Government by the head of any Federal agency, or by officers authorized by him to do so, includes a provision for liquidated damages for delay, the Comptroller General upon recommendation of such head is authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable.

(b) Section 306 of the Federal Property and Administrative Services Act of 1949, is hereby repealed, and this section shall be effective as of July 1, 1949.

Sec. 11. All laws or parts of laws in conflict with the amendments made by this act are, to the extent of such conflict, hereby repealed.

Mr. HOLIFIELD (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will report to the committee amendments.

The Clerk read, as follows:

Committee amendments: Page 1, line 8, after the word "Printer", insert a comma.

Page 1, line 9, after the word "issue", insert a comma.

Page 7, line 4, strike "transfer" and insert "transferred".

Page 8, line 8, after the word "security" strike the period and insert ": Provided, That such determination shall show that the total cost (rentals, repairs, alterations, and improvements) to the Government for the expected life of the lease shall be less than the cost of alternative space which needs no such repairs, alterations, or improvements."

Page 14, line 18, after the word "appointed", insert "by the".

Page 15, line 25, strike "Administrator" and insert "Commissioner".

Page 16, line 7, after the word "societies", insert a comma.

Page 16, line 13, after the word "time", insert a comma.

Page 16, line 25, after the word "branch", insert a comma.

Page 17, line 4, after word "Representatives", strike out the period and insert ", respectively."

Page 26, line 12, the first word "Title", should be extended to the full margin.

Page 30, line 2, strike the apostrophe after the word "Government".

Page 30, line 16, after the word "Government", strike the quotation and semicolon and insert ":",

Page 31, line 7, after "1124", strike the semicolon and insert a comma.

Page 31, line 8, after "300c-k", strike the semicolon and insert ":",

Page 32, line 11, strike "or".

Page 34, line 12, after the word "Administrative", insert "Services".

Page 35, line 2, after "1949", insert a comma.

Page 35, line 2, after the word "repealed", insert a comma.

The committee amendments were agreed to.

Mr. HARVEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARVEY. Mr. Chairman, if I understand correctly, the second committee amendment, as read by the Clerk, is the same as the amendment I have at the desk which I intended to offer.

The CHAIRMAN. It is the same, with the exception of punctuation marks.

Mr. HARVEY. Then, Mr. Chairman, if the committee amendment is the same as the one I intended to offer, I shall not offer my amendment.

Mr. HOLIFIELD. Mr. Chairman, so that we may be positive the gentleman's amendment is covered, I ask unanimous consent that the amendment he intended to offer may be read by the Clerk.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HARVEY: On page 8, in line 8, after the word "Security," strike out the period and insert the following: "Provided, That such determination shall show that the total cost (rentals, repairs, alterations, and improvements) to the Government for the expected life of the lease shall be less than the cost of alternative space which needs no such repairs, alterations, or improvements."

Mr. HARVEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, by way of explanation and for the record, it should be explained here that this amends the portion of the act wherein the bill strikes out the previous restrictions concerning the amount of money which may be spent for alterations of leased space. The provision as it exists now in many instances worked extreme hardship on the Government and forced the Government to lease expensive space which they would not have had to do if they had had the benefit of such a provision.

However, we on the subcommittee—and I may say that the subcommittee was unanimous on this amendment—were reluctant to take the ceiling off. This amendment was prepared so that in the future there will not be the complaint made that when we took the ceiling off that no policy was set forth. I think this is a very good procedure, and in taking off the restriction, to begin with, it should have been circumscribed by this amendment so that the policy and intent of the Congress will be followed.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on this particular amendment I want to pay tribute to the gentleman from Indiana [Mr. HARVEY], who brought this matter to our attention. We went into it rather extensively and we had testimony which proved that by lifting of this particular limitation on repairs of buildings, we have been able to effect tremendous savings.

For instance, in the case of the Carson-Pirie-Scott building in Chicago we secured a building by repairing it for 93 cents a square foot instead of \$2.61 a square foot. In a Cincinnati building we are paying 53 cents, where corresponding quarters in the same city cost 83 cents. In Los Angeles we are paying 55 cents a square foot for a building where other space nearby is \$1.28. And so forth.

There are many justifications for this amendment and the gentleman from Indiana is the one who was responsible for it. I pay tribute to him for his watchfulness in presenting this.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. HARVEY. I want to also mention the fact that it was brought out in the course of the investigation we made into this, that many times because we were not able to use cheap space, we were compelled in metropolitan areas particularly to rent very expensive office space. It is also space that is in great demand for offices of private enterprise. We are also doing a double favor in permitting our agencies to use the less expensive and less desirable places in our metropolitan areas.

Mr. HOLIFIELD. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HARVEY] has expired.

Mr. HOLIFIELD. Mr. Chairman, I offer two perfecting amendments.

The Clerk read as follows:

Amendments offered by Mr. HOLIFIELD: Page 7, line 7, strike the word "to" and insert in lieu thereof the word "the."

Page 34, line 5, insert quotation marks at the beginning of subsection (e).

The amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. BATTLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 9129, pursuant to House Resolution 741, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3959) to amend the Federal Property and Administrative Services Act of 1949, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill as follows:

*Be it enacted, etc.,* That the parenthetical expression appearing in clause (1) of the final sentence of subsection (a) of section 109 of the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong.) is amended to read as follows: "(including the purchase from or through the Public Printer, for warehouse issue, of standard forms, blankbook work, standard specifications, and other printed material in common use by Federal agencies not available through the Superintendent of Documents)."

SEC. 2. (a) Clause (2) of the final sentence of subsection (a) of section 109 of the Federal Property and Administrative Services Act of 1949, as hereinbefore amended, is amended to read as follows: "(2) for paying the purchase price, transportation to first storage point of supplies and services, and the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property."

(b) The third sentence of subsection (b) of section 109 of such act is amended to read as follows: "On and after such date, such prices shall be fixed at levels so as to recover so far as practicable the applicable purchase price, the transportation cost to first storage point, inventory losses, the cost of personal services employed directly in the repair, rehabilitation, and conversion of personal property, and the cost of amortization and repair of equipment utilized for lease or rent to executive agencies."

(c) The amendments made by this section shall be effective on the date, not earlier than July 1, 1950, on which the Administrator of

General Services shall determine that appropriated funds adequate to effectuate the purposes of such amendments have been made available.

SEC. 3. (a) The final sentence of subsection (b) of section 109 of the Federal Property and Administrative Services Act of 1949 is amended to read as follows: "Where an advance of funds is not made, the General Services Administration shall be reimbursed promptly out of funds of the requisitioning agency in accordance with accounting procedures approved by the Comptroller General: *Provided*, That in any case where payment shall not have been made by the requisitioning agency within 45 days after the date of billing by the Administrator or the date on which an actual liability for supplies or services is incurred by the Administrator, whichever is the later, reimbursement may be obtained by the Administrator by the issuance of transfer and counterwarrants, or other lawful transfer documents, supported by itemized invoices."

(b) Section 109 of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end thereof the following new subsection:

"(g) Whenever any producer or vendor shall tender any article or commodity for sale to the General Services Administration or to any procurement authority acting under the direction and control of the Administrator pursuant to this act, the Administrator is authorized in his discretion, with the consent of such producer or vendor, to cause to be conducted, in such manner as the Administrator shall specify, such tests as he shall prescribe to determine whether such article or commodity conforms to prescribed specifications and standards. When the Administrator determines that the making of such tests will serve predominantly the interest of such producer or vendor, he shall charge such producer or vendor a fee which shall be fixed by the Administrator in such amount as will recover the cost of conducting such tests, including all components of such cost, determined in accordance with accepted accounting principles. When the Administrator determines that the making of such tests will not serve predominantly the interest of such producer or vendor, he shall charge such producer or vendor such fee as he shall determine to be reasonable for the furnishing of such testing service. All such fees collected by the Administrator may be deposited in the General Supply Fund to be used for any purpose authorized by subsection 109 (a) of this act."

SEC. 4. Paragraphs (1) and (2) of section 203 (j) of the Federal Property and Administrative Services Act of 1949 are amended to read as follows:

"(1) Under such regulations as he may prescribe, the Administrator is authorized in his discretion to donate for educational purposes or public health purposes, including research, in the States, Territories, and possessions without cost (except for costs of care and handling) such equipment, materials, books, or other supplies under the control of any executive agency as shall have been determined to be surplus property and which shall have been determined under paragraph (2) or paragraph (3) of this subsection to be usable and necessary for educational purposes or public health purposes, including research.

"(2) Determination whether such surplus property (except surplus property donated in conformity with paragraph (3) of this subsection) is usable and necessary for educational purposes or public health purposes, including research, shall be made by the Federal Security Administrator, who shall allocate such property on the basis of needs and utilization for transfer by the Administrator of General Services to tax-supported medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and

universities, and to other nonprofit medical institutions, hospitals, clinics, health centers, schools, colleges, and universities which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code, or to State departments of education or health for distribution to such tax-supported and nonprofit medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, and universities; except that in any State where another agency is designated by State law for such purpose such transfer shall be made to said agency for such distribution within the State."

SEC. 5. The Federal Property and Administrative Services Act of 1949 is amended by—

(a) redesignating section 210 thereof as section 212, and wherever such section number appears in such act as originally enacted, it is amended to conform to the redesignation prescribed by this subsection;

(b) inserting in the table of contents appearing in the first section of such act, immediately after the line in which "Sec. 209." appears, the following:

"Sec. 210. Operation of buildings and related activities.

"Sec. 211. Motor vehicle identification."

(c) inserting, immediately after section 209 thereof, the following new sections:

#### "OPERATION OF BUILDINGS AND RELATED ACTIVITIES

"SEC. 210. (a) Whenever and to the extent that the Administrator has been or hereafter may be authorized by any provision of law other than this subsection to maintain, operate, and protect any building, property, or grounds situated in or outside the District of Columbia, including the construction, repair, preservation, demolition, furnishing, and equipment thereof, he is authorized in the discharge of the duties so conferred upon him—

"(1) to purchase, repair, and clean uniforms for civilian employees of the General Services Administration who are required by law or regulation to wear uniform clothing;

"(2) to furnish arms and ammunition for the protection force maintained by the General Services Administration;

"(3) to pay ground rent for buildings owned by the United States or occupied by Federal agencies, and to pay such rent in advance when required by law or when the Administrator shall determine such action to be in the public interest;

"(4) to employ and pay personnel employed in connection with the functions of operation, maintenance, and protection of property at such per diem rates as may be approved by the Administrator, not exceeding rates currently paid by private industry for similar services in the place where such services are performed;

"(5) without regard to the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), as amended, to pay rental, and to make repairs, alterations, and improvements under the terms of any lease entered into by or transferred to, the General Services Administrator for the housing of any Federal agency which on June 30, 1950, was specifically exempted by law from the requirements of said section;

"(6) to obtain payments, through advances or otherwise, for services, space, quarters, maintenance, repair, or other facilities furnished, on a reimbursable basis, to any other Federal agency, or any mixed-ownership corporation (as defined in the Government Corporation Control Act), or the District of Columbia, and to credit such payments to the applicable appropriation of the General Services Administration;

"(7) to make changes in, maintain, and repair the pneumatic tube system connecting buildings owned by the United States or occupied by Federal agencies in New York City installed under franchise of the city of

1950

## CONGRESSIONAL RECORD—HOUSE

12121

New York, approved June 29, 1909, and June 11, 1928, and to make payments of any obligations arising thereunder in accordance with the provisions of the acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533);

"(8) to repair, alter, and improve rented premises, without regard to the 25 percent limitation of section 322 of the act of June 30, 1932 (47 Stat. 412), as amended, upon a determination by the Administrator that by reason of circumstances set forth in such determination the execution of such work, without reference to such limitation, is advantageous to the Government in terms of economy, efficiency, or national security. A copy of every such determination so made shall be furnished to the General Accounting Office;

"(9) to pay sums in lieu of taxes on real property declared surplus by Government corporations, pursuant to the Surplus Property Act of 1944, where legal title to such property remains in any such Government corporation;

"(10) to furnish utilities and other services where such utilities and other services are not provided from other sources to persons, firms, or corporations occupying or utilizing plants or portions of plants which constitute (A) a part of the National Industrial Reserve pursuant to the National Industrial Reserve Act of 1948, or (B) surplus real property, and to credit the amounts received therefrom to the applicable appropriation of the General Services Administration;

"(11) at the direction of the Secretary of Defense, to use proceeds received from insurance against damage to properties of the National Industrial Reserve for repair or restoration to the damaged properties; and

"(12) to acquire, by purchase, condemnation, or otherwise, real estate and interests therein.

"(b) At the request of any Federal agency or any mixed-ownership corporation (as defined in the Government Corporation Control Act), or the District of Columbia, the Administrator is hereby authorized to operate, maintain, and protect any building owned by the United States (or, in the case of any wholly owned or mixed-ownership Government corporation, by such corporation) and occupied by the agency or instrumentality making such request.

"(c) At the request of any Federal agency or any mixed-ownership corporation (as defined in the Government Corporation Control Act), or the District of Columbia, the Administrator is hereby authorized (1) to acquire land for buildings and projects authorized by the Congress; (2) to make or cause to be made, under contract or otherwise, surveys and test borings and to prepare plans and specifications for such buildings and projects prior to the approval by the Attorney General of the title to the sites thereof; and (3) to contract for, and to supervise, the construction and development and the equipping of such buildings or projects. Any sum available to any such Federal agency or instrumentality for any such building or project may be transferred by such agency to the General Services Administration in advance for such purposes as the Administrator shall determine to be necessary, including the payment of salaries and expenses of personnel engaged in the preparation of plans and specifications or in field supervision, and for general office expenses to be incurred in the rendition of any such service.

"(d) Whenever the Director of the Bureau of the Budget shall determine such action to be in the interest of economy or efficiency, he shall transfer to the Administrator all functions then vested in any other executive agency with respect to the operation, maintenance, and custody of any office building

owned by the United States or any wholly owned Government corporation, or any office building or part thereof occupied by any executive agency under any lease, except that no transfer shall be made under this subsection—

"(1) of any post-office building unless the Director shall first determine that such building is not used predominantly for post-office purposes, and functions which are transferred hereunder to the Administrator with respect to any post-office building may be delegated by him only to another officer or employee of the General Services Administration or to the Postmaster General;

"(2) of any building located in any foreign country;

"(3) of any building located on the grounds of any fort, camp, post, arsenal, navy yard, naval training station, air field, proving ground, military supply depot, or school, or of any similar facility of the Department of Defense, unless and to such extent as a permit for its use by another agency or agencies shall have been issued by the Secretary of Defense or his duly authorized representative;

"(4) of any building which the Director of the Bureau of the Budget finds to be a part of a group of buildings which are (A) located in the same vicinity, (B) utilized wholly or predominantly for the special purposes of the agency having custody thereof, and (C) not generally suitable for the use of other agencies; or

"(5) of the Treasury Building, the Bureau of Engraving and Printing Building, the buildings occupied by the National Bureau of Standards, and the buildings under the jurisdiction of the regents of the Smithsonian Institution.

"(e) Notwithstanding any other provision of law, the Administrator is authorized to assign and reassign space of all executive agencies in Government-owned and leased buildings in and outside the District of Columbia upon a determination by the Administrator that such assignment or reassignment is advantageous to the Government in terms of economy, efficiency, or national security.

#### "MOTOR VEHICLE IDENTIFICATION

"Sec. 211. Under regulations prescribed by the Administrator, every motor vehicle acquired and used for official purposes within the United States, its Territories, or possessions, by any Federal agency or the District of Columbia shall be conspicuously identified by showing thereon either (a) the full name of the department, establishment, corporation, or agency by which it is used and the service in which it is used, or (b) a title descriptive of the service in which it is used if such title readily identifies the department, establishment, corporation, or agency concerned, and the legend 'For official use only'. *Provided*, That the regulations issued pursuant to this section may provide for exemptions from the requirements of this section when conspicuous identification would interfere with the purpose for which a vehicle is acquired and used."

Sec. 6. The Federal Property and Administrative Services Act of 1949 is amended by—

(a) Redesignating "title V" of such act as "title VI" thereof, and "title V", whenever it appears therein, is amended to read "title VI".

(b) Redesignating sections 501-505, inclusive, of such act, respectively, as sections 601-605, inclusive, thereof, and wherever any such section number appears in such act as originally enacted, it is amended to conform in numbering to the redesignation prescribed by this subsection.

(c) Inserting at the proper place in the table of contents to such act the following:

#### "TITLE V—FEDERAL RECORDS

"Sec. 501. Short title.

"Sec. 502. Custody and control of property.

"Sec. 503. National Historical Publications Commission.

"Sec. 504. Federal Records Council.

"Sec. 505. Records management; the Administrator.

"Sec. 506. Records management agency heads.

"Sec. 507. Archival administration.

"Sec. 508. Reports.

"Sec. 509. Legal status of reproductions.

"Sec. 510. Limitation on liability.

"Sec. 511. Definitions."

(d) Inserting, immediately following title IV thereof, the following new title:

#### "TITLE V—FEDERAL RECORDS

##### "SHORT TITLE

"Sec. 501. This title may be cited as the 'Federal Records Act of 1950.'

##### "CUSTODY AND CONTROL OF PROPERTY

"Sec. 502. The Administrator shall have immediate custody and control of the National Archives Building and its contents, and shall have authority to design, construct, purchase, lease, maintain, operate, protect, and improve buildings used by him for the storage of records of Federal agencies in the District of Columbia and elsewhere.

##### "NATIONAL HISTORICAL PUBLICATIONS COMMISSION

"Sec. 503. (a) There is hereby created a National Historical Publications Commission consisting of the Archivist (or an alternate designated by him), who shall be Chairman; the Librarian of Congress (or an alternate designated by him); one Member of the United States Senate to be appointed, for a term of 4 years, by the President of the Senate; one Member of the House of Representatives to be appointed, for a term of 2 years, by the Speaker of the House of Representatives; one representative of the judicial branch of the Government to be appointed, for a term of 4 years, by the Chief Justice of the United States; one representative of the Department of State to be appointed, for a term of 4 years, by the Secretary of State; one representative of the Department of Defense to be appointed, for a term of 4 years, by the Secretary of Defense; two members of the American Historical Association to be appointed by the council of the said association, one of whom shall serve an initial term of 2 years and the other an initial term of 3 years, but their successors shall be appointed for terms of 4 years; and two other members outstanding in the fields of the social or physical sciences to be appointed by the President of the United States, one of whom shall serve an initial term of 1 year and the other an initial term of 3 years, but their successors shall be appointed for terms of 4 years. The Commission shall meet annually and on call of the Chairman.

"(b) Any person appointed to fill a vacancy in the membership of the Commission shall be appointed only for the unexpired term of the member whom he shall succeed, and his appointment shall be made in the same manner in which the appointment of his predecessor was made.

"(c) The Commission is authorized to appoint, without reference to the Classification Act of 1949 (Public Law 429, 81st Cong., approved October 28, 1948), an executive director and such an editorial and clerical staff as the Commission may determine to be necessary. Members of the Commission who represent any branch or agency of the Government shall serve as members of the Commission without additional compensation. All members of the Commission shall be reimbursed for transportation expenses incurred in attending meetings of the Commission, and all such members other



than those who represent any branch or agency of the Government of the United States shall receive in lieu of subsistence en route to or from or at the place of such service, for each day actually spent in connection with the performance of their duties as members of such Commission, such sum, not to exceed \$25, as the Commission shall prescribe.

"(d) The Commission shall make plans, estimates, and recommendations for such historical works and collections of sources as it deems appropriate for printing or otherwise recording at the public expense. The Commission shall also cooperate with and encourage appropriate Federal, State, and local agencies and nongovernmental institutions, societies, and individuals in collecting and preserving and, when it deems such action to be desirable, in editing and publishing the papers of outstanding citizens of the United States and such other documents as may be important for an understanding and appreciation of the history of the United States. The Chairman of the Commission shall transmit to the Administrator from time to time, and at least once annually, such plans, estimates, and recommendations as have been approved by the Commission.

#### "FEDERAL RECORDS COUNCIL

"SEC. 504. The Administrator shall establish a Federal Records Council, and shall advise and consult with the Council with a view to obtaining its advice and assistance in carrying out the purposes of this title. The Council shall include representatives of the legislative, judicial, and executive branches of the Government in such number as the Administrator shall determine, but such Council shall include at least four representatives of the legislative branch, at least two representatives of the judicial branch, and at least six representatives of the executive branch. Members of the Council representing the legislative branch shall be designated, in equal number, by the President of the Senate and the Speaker of the House of Representatives, respectively. Members of the Council representing the judicial branch shall be designated by the Chief Justice of the United States. The Administrator is authorized to designate from persons named by the head of any executive agency concerned, not more than one representative from such agency to serve as a member of the Council. Members of the Council shall serve without compensation, but shall be reimbursed for all necessary expenses actually incurred in the performance of their duties as members of the Council. The Council shall elect its chairman, and shall meet at least once annually.

#### "RECORDS MANAGEMENT; THE ADMINISTRATOR

"SEC. 505. (a) The Administrator shall make provisions for the economical and efficient management of records of Federal agencies (1) by analyzing, developing, promoting, and coordinating standards, procedures, and techniques designed to improve the management of records, to insure the maintenance and security of records deemed appropriate for preservation, and to facilitate the segregation and disposal of records of temporary value, and (2) by promoting the efficient and economical utilization of space, equipment, and supplies needed for the purpose of creating, maintaining, storing, and servicing records.

"(b) The Administrator shall establish standards for the selective retention of records of continuing value, and assist Federal agencies in applying such standards to records in their custody; and he shall notify the head of any Federal agency of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of such agency that shall come to his attention, and assist the head of such agency in initiating action through the Attorney General for the recovery of such

records as shall have been unlawfully removed and for such other redress as may be provided by law.

"(c) The Administrator is authorized to inspect or survey personally or by deputy the records of any Federal agency, as well as to make surveys of records management and records disposal practices in such agencies, and shall be given the full cooperation of officials and employees of agencies in such inspections and surveys: *Provided*, That records, the use of which is restricted by or pursuant to law or for reasons of national security or the public interest, shall be inspected or surveyed in accordance with regulations promulgated by the Administrator, subject to the approval of the head of the custodial agency.

"(d) The Administrator is authorized to establish, maintain, and operate records centers for the storage, processing, and servicing of records for Federal agencies pending their deposit with the National Archives of the United States or their disposition in any other manner authorized by law; and to establish, maintain, and operate centralized microfilming services for Federal agencies.

"(e) Subject to applicable provisions of law, the Administrator shall promulgate regulations governing the transfer of records from the custody of one executive agency to that of another.

"(f) The Administrator may empower any Federal agency, upon the submission of evidence of need therefor, to retain records for a longer period than that specified in disposal schedules approved by Congress, and, in accordance with regulations promulgated by him, may withdraw disposal authorizations covering records listed in disposal schedules approved by Congress.

#### "RECORDS MANAGEMENT; AGENCY HEADS

"SEC. 506. (a) The head of each Federal agency shall cause to be made and preserved records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

"(b) The head of each Federal agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. Such program shall, among other things, provide for (1) effective controls over the creation, maintenance, and use of records in the conduct of current business; (2) cooperation with the Administrator in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value; and (3) compliance with the provisions of this title and the regulations issued thereunder.

"(c) Whenever the head of a Federal agency determines that substantial economies or increased operating efficiency can be effected thereby, he will provide for the storage, processing, and servicing of records that are appropriate therefor in a records center maintained and operated by the Administrator or, when approved by the Administrator, in such a center maintained and operated by the head of such Federal agency.

"(d) Any official of the Government who is authorized to certify to facts on the basis of records in his custody, is hereby authorized to certify to facts on the basis of records that have been transferred by him or his predecessors to the Administrator.

"(e) The head of each Federal agency shall establish such safeguards against the removal or loss of records as he shall determine to be necessary and as may be required by regulations of the Administrator. Such

safeguards shall include making it known to all officials and employees of the agency (1) that no records in the custody of the agency are to be alienated or destroyed except in accordance with the provisions of the act approved July 7, 1943 (57 Stat. 380-383), as amended July 6, 1945 (59 Stat. 434), and (2) the penalties provided by law for the unlawful removal or destruction of records.

"(f) The head of each Federal agency shall notify the Administrator of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency of which he is the head that shall come to his attention, and with the assistance of the Administrator shall initiate action through the Attorney General for the recovery of records he knows or has reason to believe have been unlawfully removed from his agency, or from any other Federal agency whose records have been transferred to his legal custody.

"(g) Nothing in this title shall be construed as limiting the authority of the Comptroller General of the United States with respect to prescribing accounting systems, forms, and procedures, or lessening the responsibility of collecting and disbursing officers for rendition of their accounts for settlement by the General Accounting Office.

#### "ARCHIVAL ADMINISTRATION

"SEC. 507. (a) The Administrator, whenever it appears to him to be in the public interest, is hereby authorized—

"(1) to accept for deposit with the National Archives of the United States the records of any Federal agency or of the Congress of the United States that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government;

"(2) to direct and effect with the approval of the head of the originating agency (or if the existence of such agency shall have been terminated, then with the approval of his successor in function, if any) the transfer of records deposited (or approved for deposit) with the National Archives of the United States to public or educational institutions or associations: *Provided*, That the title to such records shall remain vested in the United States unless otherwise authorized by Congress; and

"(3) to direct and effect the transfer of materials from private sources authorized to be received by the Administrator by the provisions of subsection (e) of this section.

"(b) The Administrator shall be responsible for the custody, use, and withdrawal of records transferred to him: *Provided*, That whenever any records the use of which is subject to statutory limitations and restrictions are so transferred, permissive and restrictive statutory provisions with respect to the examination and use of such records applicable to the head of the agency from which the records were transferred or to employees of that agency shall thereafter likewise be applicable to the Administrator, the Archivist, and to the employees of the General Services Administration, respectively: *Provided further*, That whenever the head of any agency shall specify in writing restrictions that appear to him to be necessary or desirable in the public interest, on the use or examination of records being considered for transfer from his custody to the Administrator, the Administrator shall impose such restrictions on the records so transferred, and shall not remove or relax such restrictions without the concurrence in writing of the head of the agency from which the material shall have been transferred (or if the existence of such agency shall have been terminated, then he shall not remove or release such restrictions without the concurrence of his successor in function, if any, of such agency head): *Provided, however*,



That statutory and other restrictions referred to in the provisos of this subsection shall not remain in force or effect after the records have been in existence for 50 years unless the Administrator by order shall determine with respect to specific bodies of records that such restrictions shall remain in force and effect for a longer period: *And provided further*, That restrictions on the use or examination of records deposited with the National Archives of the United States heretofore imposed and now in force and effect under the terms of section 3 of the National Archives Act, approved June 19, 1934, shall continue in force and effect regardless of the expiration of the tenure of office of the official who imposed them but may be removed or relaxed by the Administrator with the concurrence in writing of the head of the agency from which material has been transferred (or if the existence of such agency shall have been terminated, then with the concurrence in writing of his successor in function, if any).

"(c) The Administrator shall make provisions for the preservation, arrangement, repair and rehabilitation, duplication and reproduction (including microcopy publications), description, and exhibition of records transferred to him as may be needful or appropriate, including the preparation and publication of inventories, indexes, catalogs, and other finding aids or guides facilitating their use; and, when approved by the National Historical Publications Commission, he may also publish such historical works and collections of sources as seem appropriate for printing or otherwise recording at the public expense.

"(d) The Administrator shall make such provisions and maintain such facilities as he deems necessary or desirable for servicing records in his custody that are not exempt from examination by statutory provisions or other restrictions.

"(e) The Administrator may accept for deposit—

"(1) the personal papers and other personal historical documentary materials of the present President of the United States, his successors, heads of executive departments, and such other officials of the Government as the President may designate, offered for deposit under restrictions respecting their use specified in writing by the prospective depositors: *Provided*, That restrictions so specified on such materials, or any portions thereof, accepted by the Administrator for such deposit shall have force and effect during the lifetime of the depositor or for a period not to exceed 25 years, whichever is longer unless sooner terminated in writing by the depositor or his legal heirs: *And provided further*, That the Archivist determines that the materials accepted for such deposit will have continuing historical or other values;

"(2) motion-picture films, still pictures, and sound recordings from private sources that are appropriate for preservation by the Government as evidence of its organization, functions, policies, decisions, procedures, and transactions.

Title to materials so deposited under this subsection shall pass to and vest in the United States.

"(f) The Administrator is hereby authorized to make and preserve motion-picture films, still pictures, and sound recordings pertaining to and illustrative of the historical development of the United States Government and its activities, and to make provisions for preparing, editing, titling, scoring, processing, duplicating, reproducing, exhibiting, and releasing for nonprofit educational purposes, motion-picture films, still pictures, and sound recordings in his custody.

#### "REPORTS

"Sec. 508. (a) The Administrator is hereby authorized whenever he deems it necessary to obtain reports from Federal agencies on

their activities under the provisions of this title and the act approved July 7, 1943 (57 Stat. 380-383), as amended July 6, 1945 (59 Stat. 434).

"(b) The Administrator shall, whenever he finds that any provisions of this title have been or are being violated, inform in writing the head of the agency concerned of such violations and make recommendations regarding means of correcting them. Unless corrective measures satisfactory to the Administrator are inaugurated within a reasonable time, the Administrator shall submit a written report thereon to the President and the Congress.

#### "LEGAL STATUS OF REPRODUCTIONS

"Sec. 509. (a) Whenever any records that are required by statute to be retained indefinitely have been reproduced by photographic, microphotographic, or other processes, in accordance with standards established by the Administrator, the indefinite retention of such photographic, microphotographic, or other reproductions will be deemed to constitute compliance with the statutory requirement for the indefinite retention of such original records. Such reproductions, as well as reproductions made in compliance with regulations promulgated to carry out this title, shall have the same legal status as the originals thereof.

"(b) There shall be an official seal for the National Archives of the United States which shall be judicially noticed. When any copy or reproduction, furnished under the terms hereof, is authenticated by such official seal and certified by the Administrator, such copy or reproduction shall be admitted in evidence equally with the original from which it was made.

"(c) The Administrator may charge a fee not in excess of 10 percent above the costs or expenses for making or authenticating copies or reproductions of materials transferred to his custody. All such fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund provided for in section 5 of the act approved July 9, 1941. There shall be no charge for making or authenticating copies or reproductions of such materials for official use by the United States Government: *Provided*, That reimbursement may be accepted to cover the cost of furnishing such copies or reproductions that could not otherwise be furnished.

#### "LIMITATION ON LIABILITIES

"Sec. 510. With respect to letters and other intellectual productions (exclusive of material copyrighted or patented) after they come into the custody or possession of the Administrator, neither the United States nor its agents shall be liable for any infringement of literary property rights or analogous rights arising thereafter out of use of such materials for display, inspection, research, reproduction, or other purposes.

#### "DEFINITIONS

"Sec. 511. When used in this title—

"(a) The term 'records' shall have the meaning given to such term by section 1 of the act entitled 'An act to provide for the disposal of certain records of the United States Government,' approved July 7, 1943 (57 Stat. 380, as amended; 44 U. S. C. 366);

"(b) The term 'record center' means an establishment maintained by the Administrator or by a Federal agency primarily for the storage, servicing, security, and processing of records that must be preserved for varying periods of time and need not be retained in office equipment and space;

"(c) The term 'servicing' means making available for use information in records and other materials in the custody of the Administrator—

"(1) by furnishing such records or other materials, or information from such records or other materials, or copies or reproduc-

tions thereof to agencies of the Government for official use and to the public; and

"(2) by making and furnishing authenticated or unauthenticated copies or reproductions of such records and other materials;

"(d) The term 'National Archives of the United States' means those official records that have been determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, and have been accepted by the Administrator for deposit in his custody;

"(e) The term 'unauthenticated copies' means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence; and

"(f) The term 'Archivist' means the Archivist of the United States."

Sec. 7. The Federal Property and Administrative Services Act of 1949 is further amended by—

(a) striking out the word "and" preceding "(2)" in subsection (d) of section 3 thereof; substituting a semicolon for the period at the end of said subsection; and adding at the end of such subsection the following: "and (3) records of the Federal Government."

(b) striking out, in section 208 (a) thereof, the expression "and V" and inserting in lieu thereof the expression "V, and VI";

(c) striking out, in section 208 (b) thereof, the expression "and V" and inserting in lieu thereof the expression "V, and VI";

(d) striking out the word "and" at the end of paragraph (30) of section 602 (a); striking out the period at the end of paragraph (31) of section 602 (a) and inserting in lieu thereof a semicolon; and adding at the end of section 602 (a) the following new paragraphs:

"(32) the act entitled 'An act to establish a National Archives of the United States Government, and for other purposes,' approved June 19, 1934 (48 Stat. 1122-1124, as amended; 44 U. S. C. 300, 300a, 300c-k); and

"(33) section 4 of the act of February 3, 1905 (33 Stat. 687, as amended; 5 U. S. C. 77)."

(e) amending subsections 602 (b) and (c) thereof to read as follows:

"(b) There are hereby superseded—

"(1) the provisions of the first, third, and fifth paragraphs of section 1 of Executive Order No. 6166 of June 10, 1933, insofar as they relate to any function now administered by the Bureau of Federal Supply except functions with respect to standard contract forms; and

"(2) sections 2 and 4 of the act entitled 'An act to provide for the disposal of certain records of the United States Government,' approved July 7, 1943 (57 Stat. 381, as amended; 44 U. S. C. 367 and 369), to the extent that the provisions thereof are inconsistent with the provisions of title V of this act.

"(c) The authority conferred by this act shall be in addition and paramount to any authority conferred by any other law and shall not be subject to the provisions of any law inconsistent herewith, except that sections 205 (b) and 206 (c) of this act shall not be applicable to any Government corporation or agency which is subject to the Government Corporation Control Act (59 Stat. 597; 31 U. S. C. 841)."

(f) amending paragraphs (17), (18), and (19) of section 602 (d) thereof to read as follows:

"(17) the Central Intelligence Agency;

"(18) the Joint Committee on Printing, under the act entitled 'An act providing for the public printing and binding and the distribution of public documents,' approved January 12, 1895 (23 Stat. 601), as amended, or any other act; or

"(19) for such period of time as the President may specify, any other authority of any executive agency which the President determines within 1 year after the effective date of this act should, in the public interest, stand unimpaired by this act."

(g) striking out the period at the end of section 693 (a) thereof and inserting in lieu thereof a common and the following: "including payment in advance, when authorized by the Administrator, for library memberships in societies whose publications are available to members only, or to members at a price lower than that charged to the general public."

Sec. 8. (a) Subsection 3 (b) of the Federal Property and Administrative Services Act of 1949 is amended to read as follows:

"(b) The term 'Federal agency' means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, the House of Representatives, and the Architect of the Capitol and any activities under his direction)."

(b) Section 201 (b) of the Federal Property and Administrative Services Act of 1949 is amended by striking out the expression "or the Senate, or the House of Representatives,".

(c) Section 602 of the Federal Property and Administrative Services Act of 1949 is amended by redesignating subsection (e) thereof as subsection (f), and inserting, immediately after subsection (d) thereof, the following new subsection:

"(e) No provision of this act as originally enacted or as subsequently amended shall apply to the Senate or the House of Representatives (including the Architect of the Capitol and any building, activity, or function under his direction), but any of the services and facilities authorized by this act to be rendered or furnished shall, as far as practicable, be made available to the Senate, the House of Representatives, or the Architect of the Capitol, upon their request. If payment would be required for the rendition or furnishing of a similar service or facility to an executive agency, payment therefor shall be made by the recipient thereof, upon presentation of proper vouchers, in advance or by reimbursement (as may be agreed upon by the Administrator and the officer or body making such request). Such payment may be credited to the applicable appropriation of the executive agency receiving such payment. Notwithstanding the provisions of this subsection, subsection 210 (b) and subsection 210 (c) of this act shall not apply to any building, project or grounds, or to any activity, heretofore placed under the Architect of the Capitol by any provision of law."

Sec. 9. The Federal Property and Administrative Services Act of 1949, section 205 (h), is hereby amended by striking out the last word of the sentence "title" and inserting in lieu thereof the word "Act".

Sec. 10. (a) Whenever any contract made on behalf of the Government by the head of any Federal agency, or by officers authorized by him so to do, includes a provision for liquidated damages for delay, the Comptroller General upon recommendation of such head is authorized and empowered to remit the whole or any part of such damages as in his discretion may be just and equitable.

(b) Section 306 of the Federal Property and Administrative Services Act of 1949, is hereby repealed, and this section shall be effective as of July 1, 1949.

Sec. 11. All laws or parts of laws in conflict with the provisions of this act or with any amendment made thereby are, to the extent of such conflict, hereby repealed.

Mr. HOLIFIELD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: Strike out all after the enacting clause, and insert in lieu thereof the provisions of the bill H. R. 9129.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent the proceedings whereby the bill H. R. 9129 was passed were vacated, and that bill laid on the table.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. DAWSON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### EXTENSION OF REMARKS

Mr. SHAFER asked and was given permission to extend his remarks in four instances and include extraneous matter.

Mr. WOLVERTON asked and was given permission to extend his remarks and include an address by Frank Wilbur Main.

Mr. HAGEN asked and was given permission to revise and extend the remarks he made on the disaster-relief bill and include a statement compiled by the American Red Cross of its jurisdiction and work for the last 29 years, also reference to the 128 separate acts of Congress pertaining to aid because of disasters in this country, also a statement from the highway commissioner of Minnesota showing the damage done in the counties in the district of Minnesota represented by Mr. HAGEN.

Mr. CASE of South Dakota asked and was given permission to extend his remarks and include a statement on the Government's scientific policy.

Mr. JUDD asked and was given permission to extend his remarks in two instances and include in each an editorial.

Mr. WILSON of Oklahoma asked and was given permission to extend his remarks in the Record and include an editorial appearing in the Enid Morning News under date of August 4, entitled "The War Takes On New Meaning in Northwest Oklahoma."

Mr. PLUMLEY (at the request of Mr. HALLECK) was given permission to extend his remarks in the Record and include certain extraneous matter.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHELLEY (at the request of Mr. HAVENNER) for Monday, August 7, on account of illness.

To Mr. HARRISON (at the request of Mr. SMITH of Virginia) for Monday, August 7, 1950, on account of official business.

To Mr. HUGH D. SCOTT, JR. (at the request of Mr. GRAHAM) for 1 month, on account of Government business.

To Mr. MAGEE, for August 7 through August 15, on account of official business.

#### ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6454. An act to authorize the appointment of two additional district judges for the northern district of Illinois.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2018. An act to authorize advancement to and the reimbursement of certain agencies of the Treasury Department for services performed for other Government agencies, and for other purposes; and

S. 2128. An act to provide for the cancellation of certain licenses granted to the Government by private holders of patents and rights thereunder.

#### ADJOURNMENT

Mr. BUCHANAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Tuesday, August 8, 1950, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

1622. Under clause 2 of rule XXIV, a letter from the executive secretary, National Munitions Control Board, transmitting the semiannual report prepared by the National Munitions Control Board in accordance with the provisions of subsection (h), section 12, of the Neutrality Act of 1939 (Public Res. No. 54, 76th Cong.), was taken from the Speaker's table and referred to the committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALBERT: Committee of conference. House Joint Resolution 21. Joint resolution to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation; without amendment (Rept. No. 2808). Ordered to be printed.

Mr. BECKWORTH: Committee on Interstate and Foreign Commerce. S. 456. An act to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia; with amendment (Rept. No. 2809). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 2317. An act to authorize grants to the States for surveying their need for elementary and secondary school facilities and for planning State-wide programs of school construction; and to authorize grants for emergency school construction to school districts overburdened with enrollments resulting from defense and other Fed-